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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,066	12/22/2000	Thomas Zech	Westphal.6007	3230
7590 12/10/2004 Patrick J. O'Shea, Esq. Samuels, Gauthier & Stevens, LLP Suite 3300 225 Franklin Street Boston, MA 02110			EXAMINER LEON, EDWIN A	
			ART UNIT 2833	PAPER NUMBER
DATE MAILED: 12/10/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/748,066	ZECH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Edwin A. León	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 15-18 is/are allowed.
- 6) ☒ Claim(s) 10, 13 and 19 is/are rejected.
- 7) ☒ Claim(s) 11, 12, 14 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's Response filed October 6, 2004 has been placed of record in the file.
2. The indicated allowability of claims 10-14 and 19-20 is withdrawn in view of the newly discovered reference(s) to Ishii (U.S. Patent No. 6,146,168). Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 10, 13 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishii (U.S. Patent No. 6,146,168). With regard to Claims 10 and 19, Ishii discloses a plug connector (1) that mates with a socket connector (2) to establish an electrical plug connector assembly, the plug connector (1) comprising: a housing (6); a contact pin (7) that runs axially through at least a portion of the length of the housing (6), and includes a pin base portion (upper part of 7) and a pin projecting portion (free lower end of 7); an insulating shell (8) that coaxially surrounds the pin base portion (upper part of 7); a metallic shell (9) that coaxially surrounds the insulating shell (8); and a spring loaded slider shell (9, 10) that in spaced relationship coaxially surrounds the pin projecting portion (free lower end of 7), wherein the spring loaded slider shell (9, 10) axially slides upward when the plug connector (1) is inserted into the socket connector (2) to expose the pin projecting portion (free lower end of 7). See Figs. 7-8.

With regard to Claim 13, Ishii discloses the spring loaded slider shell (9, 10) comprising a coiled spring (10). See Figs. 7-8.

***Allowable Subject Matter***

5. Claims 15-18 are allowed for the reasons stated in the Office Action of March 18, 2003.

6. Claims 1-9 are allowed.

7. Claims 11-12, 14 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The references fail to teach, disclose, or suggest, either alone or in combination, the U-shaped first contact part mounted within the housing and including first and second walls that being nominally parallel, the plug connector is inserted into the socket receiving aperture the first wall flexes radially with respect to the second wall breaking the electrical connection between the U-shaped contact part and the second contact part, the outlet is formed by an electrically non-conducting guide shell positioned between the pin projecting portion and the spring loaded slider shell and in combination with the rest of the limitations of the base and intermediate claims.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

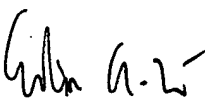
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Corcoles et al. (U.S. Patent No. 5,226,827) discloses a plug


connector that mates with a socket connector to establish an electrical plug connector assembly similar to Applicant's plug.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (571) 272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800, extension 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Edwin A. Leon  
AU 2833

  
Jay A. Plam  
Examiner

EAL  
December 3, 2004